



# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 1.210.001 WO		<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/NL2005/000032	International filing date (day/month/year) 17.01.2005	Priority date (day/month/year) 23.01.2004	
International Patent Classification (IPC) or both national classification and IPC INV. E01H1/10			
Applicant JADON			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand  22.11.2005		Date of completion of this report  26.05.2006	
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer  Movadat, R Telephone No. +31 70 340-4006 	

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/NL2005/000032**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-11 as originally filed

**Claims, Numbers**

1-17 as originally filed

**Drawings, Sheets**

1/4-4/4 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-17
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-17
Industrial applicability (IA)	Yes: Claims	1-17
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**Re Item V**

- 1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.
  - 1.1 WO-A-0020693, cf. fig. 1, discloses an apparatus for cleaning surfaces comprising a mobile support structure for at least one supply container (12) for cleaning agent (water), a plurality of spray units (27,28) coupled to the supply container for spraying with the cleaning agent a surface, wherein each spray unit is adapted to spray the same part-surface at least once during displacement of the support structure, and at least one pump (13) for feeding cleaning agent under pressure to at least one spray unit, wherein at least a front spray unit in direction of displacement of the support structure lies in front of another rear spray unit (cf. fig. 3 and 10).
  - 1.2 The subject-matter of claim 1 therefore differs from this known apparatus in that the apparatus comprises pressure-generating means for bringing the cleaning agent under pressure such that the pressure of the cleaning agent sprayed on the surface for cleaning fouled with chewing gum lies substantially between 300 and 750 bar, and that the apparatus comprises heating means for heating the cleaning agent such that the temperature of the cleaning agent sprayed on the surface for cleaning fouled with chewing gum amounts to a minimum of 115 degrees Celsius, cf. characterizing portion.

The problem to be solved by the present invention may therefore be regarded as to adapt the apparatus to remove chewing gum.
  - 1.3 The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step.
  - 1.4 DE-A-10327413, cf. fig. 1, herewith introduced in the procedure, discloses an apparatus for cleaning surfaces fouled with chewing gum and teaches, cf. [0041], that for good results a temperature of 70-150°C and a pressure of 2-30 MPA (20-300 bar)

should be observed. The parameters of present claim 1, namely 115°C and a range of 300-750 bar are consequently disclosed in said prior art. It would therefore be obvious to the person skilled in the art, when the same result is to be achieved, to apply these features with corresponding effect to an apparatus according to WO-A-0020693, thereby arriving at an apparatus for cleaning surfaces fouled with chewing gum according to claim 1.

- 1.5 It is further noted that, in order not to cause damage to the surface to be cleaned, an increase in the pressure of the cleaning agent is not foreseen in DE-A-10327413. An modification to a higher pressure (above 300 bar) appears nevertheless not involving an inventive step, the person skilled in the art adapting the parameters for different surfaces.
- 2 The same reasoning applies, *mutatis mutandis*, to the subject-matter of the corresponding independent claims 14 and 15, which therefore are also considered not inventive.
- 3 Dependent claims 2-13 and 16,17 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step. The skilled person would thereby regard it as normal design options, linked to their inherent benefits, to include these features in the known apparatus.